

**REMARKS**

Claims 1-16, 93-101, 106-110, 112-136, and 138-180 will be pending in the present application upon entry of the above-made amendments. Claims 1 to 10, 108, 109, 134, 135, have been amended for purposes of clarification, as discussed in the personal interview at the United States Patent and Trademark Office ("USPTO") on January 14, 2004 (see the Interview Summary Record below). Claim 93 has been amended to change the indefinite article of the phrase "a solid support" to a definite article because "solid support" has antecedent basis in claim 1, which is incorporated by reference into claim 93. Further, as discussed in the interview of January 14, 2004, new dependent claims (claims 162 to 180) have been added. New claims 162 to 178 are fully supported in the specification, see, *e.g.*, page 11, lines 20 to 22. New claims 179 and 180 are fully supported in the specification, see, *e.g.*, page 11, lines 22 to 25.

**INTERVIEW SUMMARY RECORD**

A personal interview in connection with the above-identified patent application was held at the USPTO on January 14, 2004 with Examiner My Chau Tran, Primary Examiner Padmashri Ponnaluri, Dr. Michael Snyder, Dr. Barry Schweitzer, Dr. Adriane M. Antler and Dr. Sebastian Martinek in attendance. Applicants and Applicants' representatives thank Examiner Tran and Primary Examiner Ponnaluri for their courtesy during the interview.

The Office communications of June 20, 2003 and October 29, 2003, pending claim 1, and the Examiner's rejections as set forth in the Office action of October 10, 2002 were discussed at the Interview.

With regard to the Office communications of June 20, 2003 and October 29, 2003, Primary Examiner Ponnaluri confirmed the understanding expressed by Dr. Antler that the species elections were made merely for purposes of facilitating the search efforts of the Examiner, and that the claims would not be limited to the elected species. Further, Examiner Tran stated that she would retract the requirement for the election of a species of an assaying reagent.

With regard to claim 1, Dr. Antler briefly explained the claimed invention. Primary Examiner Ponnaluri, Examiner Tran, and Dr. Antler agreed to make the following amendments, in order to clarify the claim language: (i) the claim language "the plurality of different substances consists of at least 100 different substances per cm<sup>2</sup>" would be amended

to reflect that the density of the different substances on the array is at least 100 different substances per cm<sup>2</sup>; and (ii) the claim language "wherein the plurality of proteins or molecules consists of at least 50% of all expressed proteins, or molecules comprising functional domains of said proteins, respectively, with the same type of biological activity in the genome of an organism" would be amended to read "wherein the plurality of proteins consists of at least 50% of all expressed proteins with the same type of biological activity in the genome of an organism, and wherein the plurality of molecules consists of molecules comprising functional domains of at least 50% of all expressed proteins with the same type of biological activity in the genome of an organism," in order to clarify that the limitation regarding biological activity applied to proteins and to molecules comprising functional domains of proteins.

Primary Examiner Ponnaluri and Examiner Tran subsequently agreed with Applicants that claim 1 with the discussed amendments would not be anticipated or made obvious by any reference or any combination of references that was cited in the Office action of October 10, 2002 because none of the references cited in the Office action of October 10, 2002 teaches or suggests arrays with 50% of all expressed proteins (or molecules with functional domains of these proteins) with the same type of biological activity in the genome of an organism. However, Examiner Ponnaluri and Examiner Tran stated that a further search would be conducted.

Dr. Antler inquired whether it would be possible to add some additional dependent claims. Examiner Tran suggested filing such additional claims by facsimile.

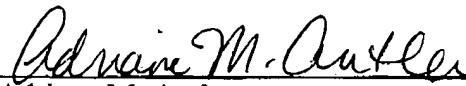
### **CONCLUSION**

Applicants respectfully request that the amendments and remarks made herein be entered and made of record in the file history of the present application. Withdrawal of the Examiner's rejections and an allowance of the application are earnestly requested. If any issues remain in connection herewith, the Examiner is respectfully invited to telephone the undersigned to discuss the same.

No fee is believed to be required for this response. However, should any fee be due, please charge the required amount to Pennie & Edmonds LLP Deposit Account No. 16-1150.<sup>1</sup>

Respectfully submitted,

Date: January 21, 2004

  
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<sup>1</sup> Please note that while Jones Day attorneys are now the new attorneys of record, the Deposit Account to be charged is in the name of Pennie & Edmonds LLP.